TEXAS ☆ TIMES

John Cornyn

UNITED STATES SENATOR • TEXAS

The Texas State of Mind

By U.S. Sen. John Cornyn

In the winter of 1846, the Republic of Texas, only a decade old, was absorbed into the United States of America as the 28th state. That act, as historian T. R. Fehrenbach once wrote, "merged the Lone Star into many."

President James Polk signed the Joint Resolution to Admit Texas as a State on Dec. 29, 1845, and annexation formalities were completed by February of 1846.

The Texas Legislature in 1874 declared two other key dates in state history as official holidays—Independence Day on March 2, and San Jacinto Day on April 21, but the anniversary of annexation is never mentioned. For some, our loss of independence is perhaps not a cause for celebration.

Texas enjoys an independent streak, stemming from our unique frontier history and the settlers who braved elements and enemies to forge a new life. The ambitions of early Texans were expansive from the beginning.

Land grants from the Spanish, Mexican and Republic of Texas governments initially attracted many to our state.

After the Mexican War of Independence in 1823, Mexican law offered heads of families—for a small fee—as much as 4,428 acres of grazing land and 177 acres of cropland.

The Republic of Texas also made land grants of varying sizes totaling nearly 37 million acres.

In his seminal history of Texas, "Lone Star," Fehrenbach wrote: "Texan patriotism was never based on concepts of government or on ideas. It grew out of the terrible struggle for land.

"The Texan's attitudes, his inherent chauvinism and the seeds of his belligerence, sprouted from his conscious effort to take and hold his land."

The annexation decision was a controversial one, with significant opposition at the time both in Texas and elsewhere in the U.S.

Some Texans saw statehood as a logical step in a progression—from Mexican territory, to independence, to joining an expanding country with a "manifest destiny" to spread civilization from sea to sea.

Others, representing the most independent streak of frontier settlers, were happy running their own affairs as they carved a nation out of the wilderness, and saw no need to cede any authority to Washington.

But after a few years, the Republic of Texas was deeply in debt. Its currency lacked value. Mexico loomed as a danger, and Native American Indians were often unfriendly. The decision to become a state soon became obvious.

Extension of slavery was the overriding political and moral question of the time, and so annexation was widely opposed in the North.

But Mexico refused to recognize the Republic of Texas, and an independent Texas was considered vulnerable to attack and conquest by another country. Ultimately, annexation fit more closely into the Union's grand plan for westward expansion.

In its constitution of 1845, Texas was the first state in the nation to provide protections for property owners. Private homesteads of a certain size in the state of Texas were to be—and remain today—exempt from foreclosure.

Sen. Daniel Webster of Massachusetts, who opposed annexation on the grounds it would expand slavery westward, nonetheless called the Texas Constitution of 1845 the best of all state constitutions.

The annexation agreement allowed Texas to keep all of its public lands. After discovery of oil a century ago, this provision fueled the development of our excellent system of higher education.

Annexation documents also spelled out a provision allowing the new state of Texas to subdivide into no more than four additional states. That provision has been largely forgotten, but its spirit is periodically raised during contentious political conflicts.

To this day, the provision is occasionally misinterpreted to imply that Texas, the only state that was once an independent nation, can secede from the Union at will.

Fehrenbach said that with annexation Texas surrendered "nothing and gained much." Yet there is poignancy in the words of Dr. Anson Jones, the last president of the Republic of Texas.

On Feb. 19, 1846, the day the Republic was turned over to the Union, Jones said: "The final act in this great drama is now performed; the Republic of Texas is no more."

In one sense, Dr. Jones was wrong. Something intangible, but very real, remains. The independent spirit—the sense of self-reliance that won freedom and built the Republic of Texas—lives on.

Sen. Cornyn is a member of the Armed Services and Judiciary Committees. He is Co-Chairman of the Senate Ethics Committee. Cornyn served previously as Texas Attorney General, Texas Supreme Court Justice and Bexar County District Judge. For Sen. Cornyn's previous Texas Times columns: www.cornyn.senate.gov/column